

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)
AMAT/3577.Y1/DSM/BCVD/JW

In re Application of: JUDY HUANG

Application No. 09/336,525

Filed: JUNE 18, 1999

For: PLASMA TREATMENT TO ENHANCE ADHESION AND TO MINIMIZE OXIDATION OF CARBON-CONTAINING LAYERS

The owner*, Applied Materials, Inc., of Santa Clara, California having one hundred (100%) percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,537,733. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

May 4, 2004

Signature

Date

Keith M. Tackett

Typed or printed name

713-623-4844

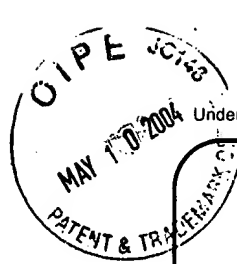
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110.00

Complete if Known

Application Number	09/336,525
Filing Date	JUNE 18, 1999
First Named Inventor	JUDY HUANG
Examiner Name	MARIANNE L. PADGETT
Group / Art Unit	1762
Attorney Docket No.	AMAT/3577.Y1/DSM/BCVD/JW

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 20-0782/AMAT/3577.Y1/KMT

Deposit Account Name Moser, Patterson & Sheridan

The Director is authorized to: (Check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	2001	770	Utility filing fee	
1002	2002	340	Design filing fee	
1003	2003	530	Plant filing fee	
1004	2004	770	Reissue filing fee	
1005	2005	160	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES

Total Claims: 0 ** = 0 X Fee from below = 0
Independent Claims: 0 ** = 0 X Fee from below = 0
Multiple Dependent: 0 X Fee from below = 0

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	2202	18	Claims in excess of 20	
1201	2201	86	Independent claims in excess of 3	
1203	2203	290	Multiple dependent claim, if not paid	
1204	2204	86	** Reissue independent claims over original patent	
1205	2205	18	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	130	Surcharge - late filing fee or oath	
1052	2052	50	Surcharge - late provisional filing fee or cover sheet	
1053	1053	130	Non-English specification	
1812	1812	2,520	For filing a request for reexamination	
1804	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	2251	110	Extension for reply within first month	
1252	2252	420	Extension for reply within second month	
1253	2253	950	Extension for reply within third month	
1254	2254	1,480	Extension for reply within fourth month	
1255	2255	2,010	Extension for reply within fifth month	
1401	2401	330	Notice of Appeal	
1402	2402	330	Filing a brief in support of an appeal	
1403	2403	290	Request for oral hearing	
1451	2451	1,510	Petition to institute a public use proceeding	
1452	2452	110	Petition to revive - unavoidable	
1453	2453	1,330	Petition to revive - unintentional	
1501	2501	1,330	Utility issue fee (or reissue)	
1502	2502	480	Design issue fee	
1503	2503	640	Plant issue fee	
1460	1460	130	Petitions to the Commissioner	
1807	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	1806	180	Submission of Information Disclosure Stmt	
8021	8021	40	Recording each patent assignment per property (times number of properties)	
1809	2809	770	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	770	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	2801	770	Request for Continued Examination (RCE)	
1802	1802	900	Request for expedited examination of a design application	

Other fee (specify) TERMINAL DISCLAIMER

110

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 110.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Keith M. Tackett	Registration No. Attorney/Agent	32,008	Telephone	713-623-4844
Signature				Date	May 4, 2004

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